

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

| | | |
|--------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA | : | |
| | : | |
| v. | : | NO. 1:CR-01-248-03 |
| | : | (JUDGE WILLIAM W. CALDWELL) |
| | : | |
| DARYL LONARD PARKER | : | FILED ELECTRONICALLY |

NOTICE OF APPEAL

Notice is hereby given that the above-named Defendant hereby appeals to the United States Court of Appeals For The Third Circuit from the judgment of sentence entered on July 6, 2005.

Respectfully submitted,

July 14, 2005

“s/” William A. Fetterhoff, Esquire
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PA 23148

**UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT
CRIMINAL APPEAL INFORMATION STATEMENT**

PART I

| | |
|---|--|
| <u>Please Type</u> <u>SHORT CAPTION WITH IDENTITY OF APPELLANT</u> | <u>Attach additional pages if necessary</u> <u>APPEAL FROM DISTRICT COURT</u> |
| <u>United States of America</u> | Middle District of <u>District: Pennsylvania</u> |
| v. | <u>D.C. Docket No. 1:CR-01-248-03</u> |
| <u>Daryl Lonard Parker</u> | <u>Date Judg. filed in d.c.: July 6, 2005</u> |
| | <u>Date NOA filed: July 14, 2005</u> |

Is this a Cross-Appeal? () Yes (**x**) No

Was there a previous appeal in case? (**x**) Yes () No

If yes, Short Title: U. S. v. Daryl Lonard Parker

Docket no. 03-2280 Citation, if reported: _____

State any other related proceedings in this Court or District Court.

PART II

Please indicate basis of appeal:

_____ Bail (appeal from order granting, denying, modifying terms and conditions of bail on release on bond pending appeal)

_____ Judgment of Conviction/Commitment

_____ Appeal will challenge only the merits of the underlying conviction.

_____ Appeal will challenge both the merits of the underlying conviction and the validity of the sentence imposed in accordance with Sentencing Guidelines.

 x Appeal will challenge only the validity of the sentence imposed in accordance with the Sentencing Reform Act and/or the Guidelines.

NOTE: This statement will assist the Court in case management. It is not intended to preclude presentation of issues on appeal.

Part III - To Be Completed When Expedited Appeal is Requested Only

If it is necessary for the Court of Appeals to expedite an appeal in a criminal matter because an issue may become moot (for example, an appeal challenging a sentence which was for less than a year and the defendant is not on bail pending appeal), please complete the following form and file together with Notice of Appeal. Transcripts should be ordered and financial arrangements completed forthwith.

Note: If you elect an expedited appeals process you are advised that you must raise any and all issues related to sentence, bail, and underlying conviction in this proceeding.

GENERAL INFORMATION:

1. Date sentence entered:
2. Sentence imposed: (period of incarceration, supervised release, fines, etc.)
3. State Guidelines range applied:
and if possible, Guideline range you claim should have been applied:
4. Status of bail pending appeal:
5. State briefly why appeal should be expedited:

This is to certify that a copy of this criminal appeal information was served on each party or their counsel of record this 14th day of July, 2005.

“s/” William A. Fetterhoff, Esquire
Signature of Counsel for Appellant

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Name and Address

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CERTIFICATE OF SERVICE

A true and correct of the foregoing document was forwarded to the person or office listed below on the date indicated by first class mail.

Christy H. Fawcett, Esq.
Assistant U.S. Attorney
Federal Building, Suite 220
P. O. Box 11754
228 Walnut Street
Harrisburg, PA 17108-1754

Date: July 14, 2005

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